

From: Peter Skye
To: Microsoft ATR
Date: 12/7/01 2:22pm
Subject: comment against the proposed Microsoft settlement

To:
Renata Hesse
Trial Attorney, Antitrust Division
U.S. Department of Justice

Dear Ms. Hesse,

I wish to comment on the proposed Microsoft settlement.

Justice is, in part, a "finalizing" of a situation based on its facts and merits so that all parties may move on.

By "finalizing" the Microsoft antitrust case in a way that essentially does not penalize Microsoft for its gross illegal actions, you do not allow the non-Microsoft parties to move on.

Instead, this settlement allows Microsoft to keep its ill-gotten gains, which include in part market share, consumer capital, and a technological position based not on their own creative development but the constraint of the creative developments of others.

Moreover, this settlement creates an untenable situation where Microsoft may now continue its ill-gotten market position and require every computer user in every U.S. state to send tribute in the form of royalties to Microsoft for years to come.

This settlement does nothing to improve competition; instead, it promotes the Microsoft monopoly.

A number of my friends and business acquaintances invested considerable money and portions of their careers in non-Windows computer software believing that there would truly be competition. And their vision made sense; in America we look around and see healthy competition wherever our eyes fall -- different car manufacturers and gasoline brands, different cans of soup and boxes of cereal at the grocer, different universities at which to study, different cellular telephone companies, the list goes on and on. Yet this proposed Microsoft settlement negates what we have in America, negates the choice brought by healthy competition, negates the underlying democratic concept of freedom.

I am against the proposed Microsoft settlement. It is unhealthy for America, it is unhealthy for technology, and it is an unhealthy position to be taken by the U.S. Department of Justice.

Sincerely,

- Peter Skye